

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Gina A Collar
Debtor(s)

Bankruptcy Case No.: 18-22821-CMB
Issued Per Jan. 31, 2019 Proceeding
Chapter: 13
Docket No.: 42 - 17, 33
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated August 1, 2018 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$1,304 as of February 2019. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. *A final plan conciliation conference will be held on at, in*. If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under 11 U.S.C. §506, disputes over the amount and allowance of claims entitled to priority under 11 U.S.C. §507, and all objections to claims.
- E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to it's administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: Penn Hills School District at Claim No. 1; Toyota Motor Credit Corp. at Claim No. 2 as pay in full; M&T Bank at Claim No. 7 with payment changes .
- H. Additional Terms:

(2.) *IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:*

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) **IT IS FURTHER ORDERED THAT:**

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

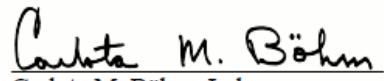
B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any *secured claim* that is secured by the subject property, unless directed otherwise by further Order of Court.


Carlota M. Böhm
Judge
United States Bankruptcy Court

Dated: February 5, 2019

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 6
United States Bankruptcy Court
Western District of Pennsylvania

In re:
Gina A Collar
Debtor

Case No. 18-22821-CMB
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: jhel
Form ID: 149

Page 1 of 3
Total Noticed: 48

Date Rcvd: Feb 05, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 07, 2019.

db +Gina A Collar, 149 Lynnwood Dr, Pittsburgh, PA 15235-4312
cr +Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave.,
Pittsburgh, PA 15233-1828
14880894 +Bankamerica, Po Box 1598, Norfolk, VA 23501-1598
14880895 +Bby/cbna, 50 Northwest Point Road, Elk Grove Village, IL 60007-1032
14880896 Bk Of Amer, 4060 Ogletown/Stanton Rd, Newark, DE 19713
14913755 Capital One, N.A., c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
14880899 +Chase Card, P.O. Box 15298, Wilmington, DE 19850-5298
14919345 +Citibank, N.A., Citibank, N.A., 701 East 60th Street North, Sioux Falls, SD 57104-0493
14893302 #+Comcast, Po Box 3001, Southeastern, PA 19398-3001
14911311 Department Stores National Bank, c/o Quantum3 Group LLC, PO Box 657,
Kirkland, WA 98083-0657
14880906 +Dsnb Macys, Po Box 8218, Mason, OH 45040-8218
14880907 +Goodyr/cbna, Po Box 6497, Sioux Falls, SD 57117-6497
14907855 +Navient Solutions, LLC. on behalf of, PHEAA, PO BOX 8147, Harrisburg, PA 17105-8147
14919333 +PNC Bank, N.A., PO Box 94982, Cleveland, OH 44101-4982
14891734 +Penn Hills School District, c/o Maiello Brungo & Maiello, 100 Purity Road, Suite 3,
Pittsburgh, PA 15235-4441
14880917 +Pnc Bank, N.a., 1 Financial Pkwy, Kalamazoo, MI 49009-8002
14880918 Sears/cbna, 133200 Smith Rd, Cleveland, OH 44130
14880919 +Sears/cbna, Po Box 6282, Sioux Falls, SD 57117-6282
14880925 +Thd/cbna, Po Box 6497, Sioux Falls, SD 57117-6497
14880926 +Tnb - Target, Po Box 673, Minneapolis, MN 55440-0673
14880927 +Toyota Motor Credit Co, Po Box 9786, Cedar Rapids, IA 52409-0004
14897363 +Toyota Motor Credit Corporation, PO Box 9013, Addison, Texas 75001-9013

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
14880897 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Feb 06 2019 02:50:42 Cap One,

14880897	+E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Feb 06 2019 02:30:42	Cap One,
	Po Box 5253, Carol Stream, IL 60197-5253	
14893300	+E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Feb 06 2019 02:50:42	
	Capital One / Best Buy, PO Box 30253, Salt Lake City, UT 84130-0253	
14893304	+E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Feb 06 2019 02:44:36	Comenity Bank/Lnbryant,
	4590 E Broad St, Columbus, OH 43213-1301	
14880901	+E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Feb 06 2019 02:44:36	Comenity Bank/avenue,
	Po Box 182789, Columbus, OH 43218-2789	
14880903	+E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Feb 06 2019 02:44:36	Comenity Bank/lnbryant,
	Po Box 182789, Columbus, OH 43218-2789	
14880904	+E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Feb 06 2019 02:44:36	Comenitybank/catherine,
	Po Box 182789, Columbus, OH 43218-2789	
14880905	+E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Feb 06 2019 02:44:36	Comenitybank/valuecity,
	Po Box 182789, Columbus, OH 43218-2789	
14913887	+E-mail/Text: kburkley@bernsteinlaw.com Feb 06 2019 02:45:25	Duquesne Light Company,
	c/o Bernstein-Burkley, P.C., 707 Grant St., Suite 2200, Gulf Tower,	
	Pittsburgh, PA 15219-1945	
14893312	+E-mail/Text: cio.bncmail@irs.gov Feb 06 2019 02:44:28	Internal Revenue Service,
	1000 Liberty Avenue, Room 727, Pittsburgh, PA 15222-4107	
14880910	+E-mail/Text: BKRMailOPS@weltman.com Feb 06 2019 02:44:32	Kay Jewelers, 375 Ghent Rd,
	Fairlawn, OH 44333-4600	
14880911	+E-mail/Text: bnckohlnotices@becket-lee.com Feb 06 2019 02:44:25	Kohls/capone,
	N56 W 17000 Ridgewood Dr, Menomonee Falls, WI 53051-7096	
14880912	+E-mail/Text: bnckohlnotices@becket-lee.com Feb 06 2019 02:44:25	Kohls/chase,
	N56 W 17000 Ridgewood Dr, Menomonee Falls, WI 53051-7096	
14900650	+E-mail/PDF: resurgentbknotifications@resurgent.com Feb 06 2019 02:51:00	
	LVNV Funding, LLC its successors and assigns as, assignee of Arrow Financial Services,,	
	LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587	
14880913	+E-mail/Text: camanagement@mtb.com Feb 06 2019 02:44:32	M & T Bank, 1 Fountain Plz,
	Buffalo, NY 14203	
14912044	+E-mail/Text: camanagement@mtb.com Feb 06 2019 02:44:32	M&T BANK, PO BOX 840,
	Buffalo, NY 14240	
14880914	+E-mail/Text: camanagement@mtb.com Feb 06 2019 02:44:32	M&t Bank, 1 Fountain Plz Fl 4,
	Buffalo, NY 14203	
14880915	+E-mail/PDF: pa_dc_claims@navient.com Feb 06 2019 02:50:30	Navient, Po Box 9500,
	Wilkes Barre, PA 18773-9500	
14880916	+E-mail/Text: RVSVCBICNOTICE1@state.pa.us Feb 06 2019 02:44:50	PA Department Of Revenue,
	Bankruptcy Division, Bankruptcy Division PO BOX 280946, Harrisburg, PA 17128-0001	
14917152	+E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Feb 06 2019 03:01:43	
	Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541	
14881181	+E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Feb 06 2019 03:01:43	
	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021	
14914888	+E-mail/Text: bnc-quantum@quantum3group.com Feb 06 2019 02:44:41	
	Quantum3 Group LLC as agent for, Comenity Bank, PO Box 788, Kirkland, WA 98083-0788	
14880920	+E-mail/Text: bankruptcy@sw-credit.com Feb 06 2019 02:45:00	Southwest Credit Syste,
	4120 International Pkwy, Carrollton, TX 75007-1958	

District/off: 0315-2

User: jhel
Form ID: 149

Page 2 of 3
Total Noticed: 48

Date Rcvd: Feb 05, 2019

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center
(continued)

14880921	+E-mail/PDF: gecscedi@recoverycorp.com Feb 06 2019 02:50:25	Syncb/care Credit, 950 Forrer Blvd, Kettering, OH 45420-1469
14880922	+E-mail/PDF: gecscedi@recoverycorp.com Feb 06 2019 02:50:25	Syncb/jcp, Po Box 965007, Orlando, FL 32896-5007
14880923	+E-mail/PDF: gecscedi@recoverycorp.com Feb 06 2019 02:50:25	Syncb/sams Club Dc, Po Box 965005, Orlando, FL 32896-5005
14880924	+E-mail/PDF: gecscedi@recoverycorp.com Feb 06 2019 02:50:25	Syncb/value City Furni, 950 Forrer Blvd, Kettering, OH 45420-1469

TOTAL: 26

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr M&T BANK
cr Toyota Motor Credit Corporation
14880898 Cap1/bstby
14880900 Comenity Bank/avenue
14880902 Comenity Bank/lnbryant
cr* +Duquesne Light Company, c/o Bernstein-Burkley, P.C.,
707 Grant Street, Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
cr* +PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
cr* +Penn Hills School District, c/o Maiello Bruno & Maiello, LLP, 100 Purity Road, Suite 3,
Pittsburgh, PA 15235-4441
14893296* +Bankamerica, Po Box 1598, Norfolk, VA 23501-1598
14893297* +Bby/cbna, 50 Northwest Point Road, Elk Grove Village, IL 60007-1032
14893298* Bk Of Amer, 4060 Ogletown/Stanton Rd, Newark, DE 19713
14893299* +Cap One, Po Box 5253, Carol Stream, IL 60197-5253
14893301* +Chase Card, P.O. Box 15298, Wilmington, DE 19850-5298
14893303* +Comenity Bank/avenue, Po Box 182789, Columbus, OH 43218-2789
14893305* +Comenity Bank/lnbryant, Po Box 182789, Columbus, OH 43218-2789
14893306* +Comenitybank/catherine, Po Box 182789, Columbus, OH 43218-2789
14893307* +Comenitybank/valuecity, Po Box 182789, Columbus, OH 43218-2789
14893308* +Dsnb Macys, Po Box 8218, Mason, OH 45040-8218
14893309* +Goodyr/cbna, Po Box 6497, Sioux Falls, SD 57117-6497
14880908* +Internal Revenue Service, Insolvency Unit, PO Box 7346, Philadelphia, PA 19101-7346
14893310* +Internal Revenue Service, Insolvency Unit, POB 7346, Philadelphia, PA 19101-7346
14880909* Internal Revenue Service, Insolvency Unit, PO Box 628, Pittsburgh, PA 15230
14893311* Internal Revenue Service, Insolvency Unit, POB 628, Pittsburgh, PA 15230
14893313* +Kay Jewelers, 375 Ghent Rd, Fairlawn, OH 44333-4600
14893314* +Kohls/capone, N56 W 17000 Ridgewood Dr, Menomonee Falls, WI 53051-7096
14893315* ++M&T BANK, LEGAL DOCUMENT PROCESSING, 626 COMMERCE DRIVE, AMHERST NY 14228-2307
(address filed with court: M & T Bank, 1 Fountain Plz, Buffalo, NY 14203)
14893316* ++M&T BANK, LEGAL DOCUMENT PROCESSING, 626 COMMERCE DRIVE, AMHERST NY 14228-2307
(address filed with court: M&t Bank, 1 Fountain Plz Fl 4, Buffalo, NY 14203)
14893317* +Navient, Po Box 9500, Wilkes Barre, PA 18773-9500
14893318* +Pnc Bank, N.A., 1 Financial Pkwy, Kalamazoo, MI 49009-8002
14893319* +Sears/cbna, Po Box 6282, Sioux Falls, SD 57117-6282
14893320* +Southwest Credit Syste, 4120 International Pkwy, Carrollton, TX 75007-1958
14893321* +Syncb/care Credit, 950 Forrer Blvd, Kettering, OH 45420-1469
14893322* +Syncb/jcp, Po Box 965007, Orlando, FL 32896-5007
14893323* +Syncb/sams Club Dc, Po Box 965005, Orlando, FL 32896-5005
14893324* +Syncb/value City Furni, 950 Forrer Blvd, Kettering, OH 45420-1469
14893325* +Thd/cbna, Po Box 6497, Sioux Falls, SD 57117-6497
14893326* +Tnb - Target, Po Box 673, Minneapolis, MN 55440-0673
14893327* +Toyota Motor Credit Co, Po Box 9786, Cedar Rapids, IA 52409-0004

TOTALS: 5, * 33, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update.
While the notice was still deliverable, the notice recipient was advised to update its address with the court
immediately.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 07, 2019

Signature: /s/Joseph Speetjens

District/off: 0315-2

User: jhel
Form ID: 149

Page 3 of 3
Total Noticed: 48

Date Rcvd: Feb 05, 2019

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 5, 2019 at the address(es) listed below:

James Warmbrodt on behalf of Creditor Toyota Motor Credit Corporation bkgroup@kmllawgroup.com
James Warmbrodt on behalf of Creditor M&T BANK bkgroup@kmllawgroup.com
Jennifer L. Cerce on behalf of Creditor Penn Hills School District jlc@mbm-law.net
Keri P. Ebeck on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com,
DMcKay@bernsteinlaw.com
Lawrence W. Willis on behalf of Debtor Gina A Collar ecf@westernpabankruptcy.com,
urfreshstrt@gmail.com
Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trustee.wpa.com
S. James Wallace on behalf of Creditor Peoples Natural Gas Company LLC sjw@sjwpgh.com,
srk@sjwpgh.com;PNGbankruptcy@peoples-gas.com

TOTAL: 8